

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED IN
OPEN COURT
6/9/05

UNITED STATES OF AMERICA,

v.

1. JONAH ADELMAN and
2. ENRICO BOTTA,

Defendants.

) CRIMINAL NO. 04-10370-RGS

) 21 U.S.C. § 846 –

) Conspiracy to Distribute and to Possess with
Intent to Distribute Oxycodone

) 21 U.S.C. § 841(a)(1) and 18 U.S.C. §2

) Possession with Intent to Distribute and
Distribution of Oxycodone

) 21 U.S.C. § 853 –

) Criminal Forfeiture

SUPERSEDING INFORMATION

COUNT ONE: (21 U.S.C. § 846 – Conspiracy to Distribute Oxycodone)

The U.S. Attorney charges that:

From a time unknown, but at least by in or about August 2002 and continuing thereafter until on or about October 14, 2004, at Boston and elsewhere in the District of Massachusetts,

1. JONAH ADELMAN and
2. ENRICO BOTTA,

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the Grand Jury to possess with intent to distribute and to distribute oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1)—Possession with Intent to Distribute and Distribution of Oxycodone and Aiding and Abetting Same)

The U.S. Attorney further charges that:

On or about September 27, 2004, in Boston, in the District of Massachusetts,

- 1. JONAH ADELMAN and**
- 2. ENRICO BOTTA,**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute and Distribution of Oxycodone and Aiding and Abetting Same)

The U.S. Attorney further charges that:

On or about October 14, 2004, in Boston, in the District of Massachusetts,

- 1. JONAH ADELMAN and**
- 2. ENRICO BOTTA,**

defendants herein, did knowingly and intentionally possess with intent to distribute and distribute oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The U.S. Attorney further charges that:

1. As a result of the offenses alleged in Counts One through Three of this Indictment,

1. JONAH ADELMAN and
2. ENRICO BOTTA,

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

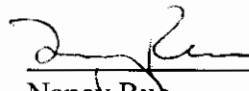
2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

MICHAEL J. SULLIVAN
United States Attorney

By: 

Nancy Rue
Assistant U.S. Attorney

DATED: June 9, 2005

